

Hamburg City Council Meeting May 26, 2009

Mayor Malz called the regular meeting of the Hamburg City Council to order at 7:00 p.m. Councilmember Larry Mueller, Councilmember Steve Trebesch, Councilmember John Barnes, City Clerk Jeremy Gruenhagen, Deputy Clerk Block, and Fire Chief Brad Droege were present. Others present were Doug Parrott (S.E.H). Councilmember Brian Cummiskey arrived at 7:09 p.m. and arriving at 7:17 p.m. were Richard Odoms (150 Jacob Street) and Shawn Sprengeler (To The Home Wireless Internet). Maintenance Worker Byerly arrived at 8:53 p.m.

Agenda Review (Added Items) and Adoption

Added – Time-off Request for Maintenance Worker Dennis Byerly.

Councilmember Mueller moved to approve the agenda with the one addition, seconded by Councilmember Trebesch seconded and motion carried. Councilmember Cummiskey was absent.

Old City Business

- Remove item number 13 – Vote if water meter deposit charge should be changed to \$45 or leave wording as is. Council decided to leave the deposit charge at \$35.
- Remove item number 3 – this will be discussed at tonight’s council meeting – Discuss motion to close city streets except for civic purposes.
- Number 12 – Purchase batteries or a solar battery for the Civil Defense Siren – Council decided to have Maintenance Worker Byerly check into the price of a solar battery.
- Number 6 – Lawnmower Repair – Council decided to have Maintenance Worker Byerly take the lawnmower to either Glencoe or Belle Plaine John Deere Dealership and find out the estimated cost of repair.

Fire Department Report – Chief Brad Droege

2009 FEMA Grant Application

- The 2008 Grant will be closed in June or July. You can close the grant 6 months after the monies have been received.
- The 2009 FEMA Grant for \$25,110 has been sent in. This amount would help purchase a new thermal camera, the old one was donated to the Hamburg Fire Department nine or ten years ago and is not working properly. The money would also be used for sixteen new voice remitters, DRD – Drag Rescue Devices (new OSHA policy), and 300 feet of hose – 3 lengths of 54’ x 1” and 3 lengths of 2 ½” hose.
- The Federal Government has cut money for the FEMA Grants to help balance the budget.

Gambling Donation – Pull Tabs

- Fire Chief Droege informed Council that a decision has not been made on what to donate the gambling fund money on yet. The Relief Association has to deplete the funds by the end of the year. Some suggestions were to use the money on purchasing the civil defense solar batteries/charger and/or payment towards the Ambulance Rescue. Chief Droege would like to put the money back into the community.
- Councilmember Mueller suggested putting the money towards equipment purchases.
 - Fire Chief Droege noted the Tanker, Ambulance, and the siren was funded by donations so they could use the money to purchase solar batteries/charger.
- City Clerk Gruenhagen added that there is a total of \$33,000 left to pay on the Ambulance, \$11,000 this year (2009) and after this year there will be \$22,000 left to pay on it. There is \$6,000 to pay this year (2009) on the Community Center Bonds and \$3,000 next year (2010).

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- City Clerk Gruenhagen and Fire Chief Droege had spoken earlier in the day that maybe the Fire Department could put together a Wish List. The City could pay for Fire Department items and by using the Gambling funds have the Fire Department pay for some of the Cities wish list items. What the Fire Department uses the funds for has to be on certain items and within the certain guidelines.
 - Fire Chief Droege commented that this is something the Fire Department members have to discuss yet.
 - City Clerk Gruenhagen requested that if this is going to be done that it be in a timely manner so it can be budgeted for.
- Councilmember Mueller suggested that a new City Sign be placed right before you enter Hamburg. A sign matching the Hamburg Bi-Centennial Park Sign for the City of Hamburg and Young America Township, a two sided sign.
 - City Clerk Gruenhagen mentioned that acquiring new signs were on the City Wish List and council had estimated the cost at \$700 per sign.

Mayor Malz informed other members of Council and the public that Wm Mueller & Sons, along with volunteers, have redone the horseshoe pits in the Park.

Councilmember Mueller added that he wanted to thank Chief Droege's wife and Mayor Malz's wife for sprucing up the Park flower gardens.

- Chief Droege suggested sending them a Thank You note. He also added that he thought two pots should be placed again this year in the Bi-Centennial Park. The two flower pots that were there last year looked very nice and colorful.
 - Mayor Malz suggested asking Barb Droege and Sheila Malz if they would put something together.
 - Councilmember Muller added that the city should pay for the pots and plants.
 - Council discussed what price should be allowed for the purchase and they agreed upon up to \$150.
 - *Councilmember Mueller moved to spend up to \$150 for the purchase of pots and flowers to be placed by the flag pole in the City Park, Councilmember Trebesch seconded and motion unanimously carried. All Council members were present.*

Doug Parrott – S.E.H.

Cost Estimates on Pond Options 1 and 2

- There were two options for Storm Water retention and Storm Water quality pond. The difference between the two is a double barrel piping system for option 2 and option 1 has a one piping system into the pond then into the County ditch.
 - Option 1 – Take the future pond storm water which would be north of the city for future development and bring that water around to George Street on down to a single pond before the water goes into the ditch. The pond by the County Ditch would have to retain the water from future development areas north of the city. This pond would be about a 3.4 acres in size. The 3.4 acre sized pond would be the normal water level of the pond which would be permanently there.
 - Estimated cost for single piping system and larger pond would be \$257,251.28. This includes the piping, pond structure, and street repair.
 - Option 2 – Dual piping system. This option would take the future development pond water through a separate system and outlet directly into the ditch. But for the local drainage areas by

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George Street, Kim Ave, and County Road 50 the storm water would have to be brought into a smaller pond. The pond size would be 1.4 acres instead of the 3.4 acre pond in option 1.

- Estimated cost for the dual (two) piping system and smaller pond is \$225,292.21
- Mr. Parrott reiterated that these are estimates not bid prices. The bid price could vary greatly from what the estimates are.
- Mr. Parrott brought this up due to the suggestion from Roger Siewert (618 David Avenue) which he suggested at the Neighborhood Meeting. His idea was to combine Option 1 and Option #2. Take Option #1 with the single piping system but put in the pond from Option #2. Because this is what is needed now for the storm water drainage coming off George Street and County Road 50. Then in the future expand the pond when the areas to the north are developed. This way Option #1 would cost less than Option #2 because a lot less earth would have to be moved.
 - Mayor Malz commented that this idea made sense because future development could help pay for the pond expansion.
 - Councilmember Mueller added that any future development could help pay for the pond expansion.
 - Councilmember Cummiskey suggested a sewer connection fee for any future development to help cover the cost of expanding the pond. Councilmember Cummiskey commented that some people have approached him asking if he would be willing to put an orchard in. The orchard would be in the area where the expanded pond is planned to be built. Councilmember Cummiskey added that he knew this was coming and he did not want to put one in and then later have to take it out. If the orchard gets put in and the pond is expanded it is a lot more expensive to purchase land with an orchard on it then purchasing pasture land.
 - Councilmember Mueller suggested to Councilmember Cummiskey that the city would purchase enough of his property now to allow for the future pond expansion.
 - Mayor Malz added that this way the land would be designated just for that purpose.
 - Councilmember Cummiskey replied that the logistics of how that works kind of varies a little bit. Right now where the pond is planned it chops his pasture up pretty bad, personally he would like to keep the pond as small as possible and keep it that way. He does not see a big disadvantage in putting in the two pipe system if the ponds have to be built on the north side of town anyway. It is less expensive and in the estimates there is no cost listed for acquiring the land in either plan.
 - Mr. Parrott stated that the land purchase estimates included is very little.
 - Councilmember Cummiskey continued that the estimates are not accurate because there is no land acquisition costs listed for either plan. If you are talking about a 3 acre pond with a perimeter versus the one acre pond it is a huge difference. The city would not be just looking at 3 ½ acres to purchase, this is going to change things.
 - Mr. Parrott commented that the acreage showing on the drawings is just the water surface area, it does not include the top of the dikes and/or the back slopes.
 - Mayor Malz asked how big the pasture area is.
 - Councilmember Cummiskey was not sure but he estimates that his total property is just about 25 acres. The field across the ditch is a little over 12 acres and he does not know how much land is around the housing area or how much of the remaining 12 acres is pasture. Councilmember Cummiskey estimated that about 8 or 9 acres of pasture but some loops back around to Martha Street. He continued to comment that the pipe can not cross the forced main and the sewer line that is already down on the Martha Street side.
 - Doug Parrott added that they did some measurements from an aerial photo to try and calculate from the force main on the east side over to the fence by the city park. S.E.H.

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came up with a little over 4 acres. The 4 acres are between the ditch, the force mains, the homes, and the city park.

- Councilmember Cummiskey commented that the force main that is running behind 720 Park Avenue (Robert Bergmann's) is about 15 or 20 feet off the fence line so that area at most would be part of the back slope. It can't be any closer to the back slope of the pond.
 - Mr. Parrott replied yes you would want to stay away from it totally.
- Councilmember Cummiskey continued that if you get to the large size pond and try to squeeze that size pond into that area you are going to have some issues because of where the force main is already running and the sanitary main.
 - Mr. Parrott addressed Council informing them that what they were looking at in the drawing was just a hole in the ground. The plan is not to have super high dikes we want to keep them as low as possible so the residents in the area will have a scenic view. You would not want the dikes much over 3 feet high to keep the view.
- Councilmember Mueller commented that the city could buy the land from where the force main runs north and south to the park. That way the city would always have room for expansion of the pond.
- Councilmember Trebesch mentioned that basically the city would be buying the land from the fence back to the ditch then from Councilmember Cummiskey driveway over to the fence by the Park.
 - Councilmember Cummiskey replied that it would be from the force main which is just east of the west edge of Bobby Bergmann's lot line.
 - Councilmember Trebesch commented that this would leave a small strip of land that Councilmember Cummiskey would own.
- Councilmember Cummiskey informed the other members of Council that he does not want to sell that much land even the smaller pond is bigger than what has been previously discussed. First it was an acre of land that would cover the pond and the dike, now it is an acre and a half plus the dike, this would be about 3 acres. This is more than what he would like to sell.
- Councilmember Cummiskey commented that another thing that Council has to think about it would take a four-fifths vote and he does not get to vote because the City is buying his property. If anyone on Council is against it there is no sense spending time on this. Council should think about it now before we waste a lot of time.
- Mayor Malz was in agreement with Councilmember Mueller, for the future of the city, the land is needed for the larger pond.
- All members of Council and Mr. Parrott continued to discuss what size the pond should be using Options #1 and Option #2, also if they should go with 2 pipe lines or 1 line. They discussed "Option #3" that Mr. Siewert had suggested at the Neighborhood Meeting, putting in the one pipe system which was shown in Option #1 but put in the pond size shown in Option #2. They also discussed where the lines and pond should be placed.
 - Councilmember Cummiskey brought up again that the size of the pond from the original design is now larger and he does not want to sell that much land.
- Mayor Malz questioned Mr. Parrott if Council goes with the smaller pond now how soon would it be before the pond would have to be increased.
 - Mr. Parrott replied that the final solution for the pond area of 3.4 acres is the size needed for the whole area (300 acres) that is planned for future development on the north side of the city. This would be a long time in the future.

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- Mayor Malz commented that Option #3 would work and it would be a long time before the pond would have to be expanded.
- Mr. Parrott mentioned that Option #3 is a very cost effective solution that was suggested by Mr. Siewert (618 David Avenue) at the Neighborhood Meeting and deserves consideration.
- Councilmember Mueller commented that if the Council goes with Option #3 and if Councilmember Cummiskey does not want to sell the whole corner of his property, Council can deal with adding more property 10 or 15 years in the future. It would be wise to purchase all the land that would be needed now but if Councilmember Cummiskey does not want to sell it now this could hold up the whole project.
- City Clerk Gruenhagen had two questions for Councilmember Cummiskey (1) How much of his land is he willing to give up? (2) If under any circumstance would he be willing to go with one of these options and the amount of acreage he would be looking to sell to the City? Without knowing these answers Council is unable to make a decision, they do not know how much land will be sold to the City and the location of the pond.
 - Mayor Malz commented he thought that this was already discussed and decided on.
 - City Clerk Gruenhagen added that this is one of his concerns with this whole project being on such a tight schedule there is no room for any type of delay.
- Councilmember Trebesch asked if this land would have to be annexed into the city.
 - City Clerk Gruenhagen replied that he was sure the Township, City also, would want the land annexed into the City.
- Councilmember Cummiskey reiterated that when this project started he was under the impression that 1 acre or maybe 2 acres would be needed for the pond. He does not want to sell any more than 3 or 3.5 acres. If he sells the whole area then he will not be able to have pasture land for a horse or hay field. He would also like to put an orchard in.
- Councilmember Mueller asked Mr. Parrott if the pond could be moved west all the way up to the Park line.
 - Mr. Parrott replied yes.
- Council continued to discuss where the pond could be located and how much land would be needed.
 - When Councilmember Cummiskey was ask about how much land he would be willing to sell he replied 3 or 3.5 acres if that is what it takes to do the project.
- City Clerk Gruenhagen asked Mr. Parrott if this would be sufficient to do the smaller pond option, total surface area.
 - Mr. Parrott replied yes.
- Council and Mr. Parrott discussed the width of the pond dikes, height of the dikes, and the shape of the pond and dikes.
- Councilmember Mueller asked Councilmember Cummiskey if he would sell enough of his land to put the smaller pond in.
 - Councilmember Cummiskey replied that he would sell up to 3.5 acres but does not want to sell any more than that.
- City Clerk Gruenhagen asked if Council would want to go with Option #3 or does Council want to look at Option #2. Option #2 with the duel pipe system or gamble and take the chance looking at Option #3 that down the road the Council would be able to purchase more land for expansion of the pond.
 - Councilmember Cummiskey asked what the cost of the different piping is.
 - Councilmember Mueller indicated that he would go with Option #3.

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- Councilmember Barnes asked if the cost of the piping (1 line versus 2 lines) would be sufficiently cheaper.
 - Mr. Parrott checked the pricing difference and to excavate the smaller pond would be around \$20,000 in excavation costs and the larger pond would be about \$79,000. The pricing is dependent as to how much dirt will have to be excavated. The savings on doing the smaller pond is about \$60,000.
- Mr. Parrott recommended to Council that a decision should be made tonight at this meeting. He would like to send the plans, whatever plan the Council decides on, in for review to the other agencies that are involved.
- Mayor Malz asked Council what their opinions were. His opinion is to go with Option #3.
 - Councilmember Barnes agreed that Option #3 would be the best plan.
 - Councilmember Trebesch also agreed on Option #3 but would like to see the City purchase the full 3.5 Acres.
 - City Clerk Gruenhagen asked Mr. Cummiskey what his thoughts would be ten years down the line of selling more land. City Clerk Gruenhagen also asked Mr. Parrott if there are other options if Mr. Cummiskey does not sell any more land.
 - Mr. Parrott replied “yes”, by using the 2 pipe system to meet the current MPCA water treatment regulations.
 - Councilmember Mueller added that the pond could be moved further in to the Park area if needed.
 - Council continued to discuss the cost savings of going with Option #3, what would happen if no more land would be available to purchase, and in the future the possibility of putting in the second line instead of enlarging the then existing pond. Council also discussed the size of the pipes that would be used and the cost of adding a second line in the future instead of now.
- Councilmember Barnes asked Councilmember Mueller what his suggestion was, which option he recommends.
 - Councilmember Mueller replied Option #3 and to move the pond as far west to the Park area as possible. If we need the land to extend the pond we can get the property.
 - Mr. Parrott added that his opinion is to go with Option #3 because it makes so much sense. With this option the city does not have to build a big pond now, can expand it later. Build the smaller pond now to meet the MPCA regulations and put in the piping line system which would take the future ponds to the north and in the future expand the pond to meet the design requirements that MPCA sets forth. It is in the Cities best interest to purchase the land now, if it is not a possibility then the City should purchase what they can now and in the future try to obtain the land by negotiation or by some other means.
- ***Councilmember Mueller made a motion to go with Option #3, using Option #1 plan for installing one pipe system and Option #2 plan for the smaller pond to be extended in the future and to purchase up to 3.5 acres of land from Mr. Cummiskey (724 Park Avenue) and move the pond location to the west as close as it can be to the east side of the City Park line, seconded by Councilmember Barnes and motion carried. Councilmember Cummiskey abstained.***

Preliminary Engineering Report Update

- Mr. Parrott explained that since the time of presenting the Preliminary Engineering Report on January 13, 2009 the project has evolved and developed through several meetings with city staff and council

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members. The following is a list of significant items modified in the scope of project as a result of these meetings:

- Storm sewer piping on Brad Street.
 - Alignment and configuration has changed a little bit.
- Elimination of the storm water pond on the city's property located near the north end of Brad Street.
 - This pond has been eliminated.
- Wetland investigation/testing to determine that no wetlands are present in the proposed south pond area.
 - It has been determined that no wetland were present in that area.
- The pond location in the area located south of Park Avenue/CSAH 50 and east of the City Park.
 - This has been changed and revised at this council meeting tonight from the January 13, 2009 report.
- The piping plan for future development areas located north of the project area.
 - This has changed from the January 13, 2009 report, the pipe size got bigger due to the new design and the final plan on how to service those areas for storm water drainage.
- ***Councilmember Trebesch moved to approve the updated Preliminary Engineering Report, seconded by Councilmember Mueller and motion carried. Councilmember Cummiskey abstained.***

Excavating for Force Main Location (Storm Sewer Pond Site)

- Mr. Parrott asked Council about doing an excavation to find the force main location in the proposed storm sewer pond site. The sanitary sewer lines and the force main line (going to the lagoons) are on the east and north side of the proposed pond area. These lines will have to be crossed on the northeast side of the property in order to get up to County Road 50 and George Street. S.E.H. does know where the sanitary sewer line is located but they do not know how deep the forced main line is. To avoid surprises Mr. Parrott is asking for a local contractor with a backhoe to dig a pot hole trench about 7 to 8 feet deep to locate the forced main line.
 - City Clerk Gruenhagen asked if this would be done on the cities easement and would not require any special arrangements.
 - Mr. Parrott replied yes.
 - Councilmember Mueller suggested contacting Wm. Mueller & Sons, they have the equipment to dig a pot hole trench.
 - Mr. Parrott replied that the company would probably bill the City directly.
- ***Councilmember Mueller moved to allow the excavating to locate the depth of the forced main line, seconded by Councilmember Trebesch and motion carried. Councilmember Cummiskey abstained.***

MPCA Requirements (Email from Gene Erickson)

- Mr. Parrott explained that Gene Erickson is the person at the Minnesota Pollution Agency that will be reviewing the plan. He will be certifying that the cities plan does qualify and conforms to the Public Facilities Authority requirements for submitting for loans and grant monies. Mr. Parrott had asked Mr. Erickson what are the specification needed when the plan is submitted. Mr. Erickson's email reply was as follows:
 - A Project Schedule form that will need to be completed.
 - A full time inspection and monthly written construction reports. S.E.H. will need to include that requirement within the project specifications indicating this will be accomplished.

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- Because of the American Recovery and Reinstatement Act (ARRA), the city will need to include in the specifications the Davis-Bacon Wage rates and Buy America requirements. PFA has posted their advisory document on their website, www.deed.state.mn.us/Community/assistance/PDFs/ARRA_ContractAndCompliancePacket.pdf.
- City Clerk Gruenhagen asked Mr. Parrott if they will abide by the American Recovery and Reinstatement Act.
 - Mr. Parrott replied yes.
- City Clerk Gruenhagen also commented that he only had a problem with the Davis-Bacon wage rates. With these requirements, anything required by the city?
 - Mr. Parrott replied that S.E.H. will prepare all the documents and put them into the project manual spec book that goes on file. So far S.E.H. already has The Wage Rates Determination; the front end documents that PFA requires, and the buy American clause that the ARRA requires.
- Councilmember Trebesch had a question on the Sanitary Storm/Sewer dates for the Assessment Hearing. The original date was October 20, 2009 and the revised date is October 13, 2009. This meeting has been moved up?
 - City Clerk Gruenhagen replied that it had been moved up to have time to submit it to the county due to the time requirements.
- City Clerk Gruenhagen commented on the MPCA requirements that the city has no options on their requirements. They will have to be followed or the project can not move forward.
- ***Councilmember Barnes moved to give S.E.H. the authorization to submit the plans and specs to MPCA abiding by MPCA requirements as soon as they are completed, Councilmember Mueller seconded and motion unanimously carried. All Council members were present.***

Revised Schedule – City Clerk Gruenhagen

- If Council has no objection the revised schedule will be followed. This schedule will be submitted to PCA as a guideline.

Storm Water Utility Fee

- City Clerk Gruenhagen will work with Mr. Parrott on setting up the storm water utility fee. This should be implemented as soon as possible.

Assessment Options

- City Clerk Gruenhagen, Engineer Doug Parrott, and City Attorney Mac Williamson had talked about the assessment options. There is some concern about assessing storm sewer, it is unknown if anyone would contest this; it is unknown where it would go legally. The biggest question for Council is for the sanitary sewer, the amount of assessment that the City wants to assess for the sanitary sewer.
- Councilmember Trebesch noticed that last time this was done more grant money was received.
- Councilmember Mueller commented that last time the city put in the sanitary sewer system they received a 50% grant which was for everything (collection system) except for the three lines that are being replaced now. If you would take the 50% that was received before minus the 20% that the city may receive now this would leave 30% to be assessed to the rest of the city and the remaining amount (50%) would be assessed to three lines being replaced. This way everyone would get 50% evening out the assessment but you would have to eliminate Robert Avenue and Donald Avenue. These two streets had paid 100% on their collection system.
- Council discussed how the assessments should be calculated and who should be assessed.
 - Mr. Parrott reminded Council that any amount they would come up with would have to equal or exceed the benefit to the property. Any assessment should be done by unit because of only one hook-up and not by footage. Dollar amount should be based on service not footage.

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- Mr. Parrott informed Council that he could come up with an assessment amount by tomorrow and then have City Clerk Gruenhagen submit it to the City Attorney for review.
 - City Clerk Gruenhagen added that what ever dollar amount is assessed a resident can take it to court. The City would then have to prove what was assessed benefits the property by that amount.
- Council continued to discuss how the assessments were done when the previous system was installed. It was decided that the past is the past and this is a new project with a different charge.
 - Mr. Parrott added that there are 37 lots getting the improvements and those lots should pay the same dollar amount. What is applied to the rest of the city is up to Council.
- City Clerk Gruenhagen told Council that what they have to present at the June 8, 2009 meeting is a description of the methodology used to calculate individual assessment for affected parcels.
- Mr. Parrott added that the law for the resolution that council is asked to pass at the Public Hearing does not require the final figure. It just says a reasonable estimate will be at the Hearing. This is according to law not something Jeremy and I came up with.
- ***Councilmember Trebesch moved to have City Clerk Gruenhagen, S.E.H Engineer Doug Parrott, and City Attorney Mac Willemsen decide on the methodology to use in calculating individual assessments by June 8, 2009, Councilmember Barnes seconded, and motion carried. Councilmember Cummiskey abstained.***
- ***Councilmember Mueller moved to adopt Resolution Number 2009-04 Resolution Receiving Report and Calling Hearing on Improvement for June 8, 2009 at 6:30 p.m., Councilmember Trebesch seconded and motion carried. Councilmember Cummiskey abstained.***

Mr. Parrott added that a representative from the city and a representative from S.E.H should begin talking to homeowners requesting access to backyards.

- ***Councilmember Trebesch moved to have Maintenance Worker Byerly, City Clerk Gruenhagen or someone from Council along with a representative from S.E.H represent the city and ask homeowners for their permission to get access to their backyards, Councilmember Mueller seconded and motion unanimously carried. All Council members were present.***

City Clerk Gruenhagen asked for Councils approval to allow Braun Intertec to do the soil borings at the cost of \$6,900.

- ***Councilmember Mueller moved to approve Braun Intertec to do the soil borings at a cost of \$6,900, Councilmember Trebesch seconded and motion unanimously carried. All members were present.***

Request from Jim Stuewe

- City Clerk Gruenhagen received a request from Mr. Stuewe asking if the city would extend the sanitary sewer main along Martha Street to his property instead of him putting in a mound system.
 - Mr. Parrott had done some rough estimates if this would be feasible. The main obstacle is how the sewer line would cross the ditch. Some elevation figures he came up with:
 - The top of the sanitary sewer system located just north of the culvert on Martha Street. The top of the road over this culvert is – elevation 998.72
 - The sanitary sewer has a pipe invert (pipe bottom elevation) of – 989.49. About nine feet below the top of the road.
 - The top of the culvert elevation is – 987.9
 - The culvert invert or fall line is – 983.2
 - Mr. Parrott continued, (rounding the number off) the sanitary sewer pipe is setting below ground at elevation 989, the top of the corrugated metal culvert is at elevation 988, so this means that the sewer line is about a foot and a half above the top of the culvert, higher than the top of the culvert.

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The sewer line is also about 9 to 10 feet lower than the road. What this means is that there are two options. One is to hook into the sanitary sewer manhole with an 8 inch gravity line and run over the top of the culvert but below the road level. The sewer line would have to be insulated between the culvert crossings and then extend further up to the south. Ground elevations (GND) along the road in the ditch are the lowest ground elevations in this area. If the 8 inch gravity line was extended south the line would be only three and a half feet in the ground. This can work however if the sewer line was extended south it would be better to locate the gravity line on higher ground further away from the road ditch. The land does get higher moving east and to the south. The other option for the homeowner is to put in a grinder pump, a small force pump using a 2" diameter plastic pipe running from their home all the way to the city sewer manhole located north of the culvert. Another option would be to use a combination of both; use a gravity line part of the way and then pump the waste the rest of the way.

- City Clerk Gruenhagen informed Council that he had spoken with Mr. Stuewe to bring his request officially to Council during a regular City Council Meeting. Until this is done no further action should be done until a formal request is made.
- Council agreed with this suggestion.

Water Tower Purchase from NYA

- City Clerk Gruenhagen asked if anyone had any questions concerning the idea of purchasing Norwood/Young America's water tower.
 - Mayor Malz indicated that he is no longer considering this project.
 - Councilmember Barnes commented that with the I/I Project, purchasing the water tower should not be made at this time.
 - Councilmember Cumiskey added, not without a grant.
 - City clerk Gruenhagen mentioned that he had spoken with Ron Seymour (SEH Sr. Community Development Manager) that it is to late this year to apply for a grant but maybe next year.

To The Home internet – Shawn Sprengeler

- Mr. Sprengeler was at the meeting to answer any questions Council may have on what steps need to be taken to take this project to the next level and what level the City of Hamburg is interested in pursuing this project.
 - City Clerk Gruenhagen responded that he has received some interest from City residents but a lot of interest outside the city limits. There seems to be enough interest for Mr. Sprengeler to look into using the water tower. It is up to Council to decide if they want to move forward on this. This was discussed at the last City Council Meeting and Council wanted to allow more time to get residents input.
- Mayor Malz asked if anyone has asked about cost.
 - City Clerk Gruenhagen replied that some have and he gave them the ToTheHome.com website and mentioned that there is a \$100 installation fee and a cost of \$25 per month.
- Mayor Malz asked how far out from the city limits would the signal go.
 - Mr. Sprengeler replied 4 miles out, a 4 mile radius.
- Mayor Malz asked if the weather or cold would affect the service.
 - Mr. Sprengeler replied that the service has not had any weather related causes but the equipment fails at a certain weather conditions such as -40 below temperatures. The equipment they install at the water tower would be the main concern due to weather related conditions.

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- Mayor Malz commented that in his opinion there is no reason not to proceed if residents want to sign up for the service. Mayor Malz questioned the liability and if there would be any revenue for the City of Hamburg.
 - Mr. Sprengeler addressed these questions by replying that a lot of cities have wanted this type of infrastructure installed due to the economic benefits for the residents and also for cities to improve city services as a whole. As examples the City of Chaska spent over a half million dollars out of the cities capital budget, Moorhead spent a little over \$600,000 just on the equipment, Houston spent \$4 million for this type of service. Cologne did not have to put in any capital investment to bring this system in and they do not have to operate it.
 - Mr. Sprengeler added that he wants to bring in affordable service as opposed to the current \$40 a month service. The service he would like to bring in would cost \$20 to \$25 per month for Broad Band or High Speed Internet service. To keep the cost low their overhead has to be minimal in terms of cash flow. Due to the cities size there is not a huge revenue potential. By allowing To The Home Internet to install antennas and cabling on the cities water tower they would allow the City of Hamburg free use of the internet.
- City Clerk Gruenhagen asked if Council could receive a copy of the contract, model agreement, for them to review to see if they want to move forward. A copy should also be sent to the cities attorney (Mac) for his review.
 - Mr. Sprengeler replied that he would send one to the city office.
- Councilmember Cummiskey asked if any electrical hook ups are needed.
 - Mr. Sprengeler answered that they would need about 4 watts.
- Mr. Sprengeler informed Council that he would contact Embarq and/or Mediacom for they would have to build out to the water tower where the equipment would be located. This would not be a problem because Embarq did this for Cologne.
- City Clerk Gruenhagen suggested that if Council wants to pursue this the next step would be for them to receive and look over the lease agreement Mr. Sprengeler has with Cologne.
 - Councilmember Cummiskey added that a copy of the Cologne agreement should be sent to the cities attorney for his review and have him draw up a draft contract between the City of Hamburg and To The Home Internet service provided by Mr. Sprengeler. Council could then review the drafted contract.
 - Council agreed that this would be the next step in deciding if they want to proceed with the project.
- Mr. Sprengeler mentioned that his workers would need 24/7 access to the tower to get at their equipment. They had overlooked adding this in Colognes contract.
 - City Clerk Gruenhagen asked Mr. Sprengeler to make a note of this on the copy of Cologne's contract that will be sent for review.
- City Council and Mr. Sprengeler discussed the size of the equipment and where it could be placed.
 - Councilmember Mueller asked if the box holding the equipment is water tight and Mr. Sprengeler replied yes.
 - Mayor Malz commented that this can be tabled till next Council meeting once the copy of the contract is received and reviewed.
- Mr. Odoms, 150 Jacob Street, informed Council that he has modified his web site and has added information about To The Home Internet including an interview with Mr. Sprengeler. The information can be accessed by logging into his website: www.hamburgminnesota.com.

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Dennis' Report (Public Works & Utilities)

(Maintenance Worker Byerly arrived at 8:53 p.m.)

Lawn Mower

- Mayor Malz asked what size deck is on the lawn mower.
 - Maintenance Worker Byerly answered 60”.
 - Mayor Malz requested the deck be dropped off and the lawn mower taken to a John Deere dealership to find out how much it would cost to repair it.
 - City Clerk Gruenhagen added to just get an estimate before any work is done.

Estimate for Sidewalk

- City Clerk Gruenhagen had spoken with Mr. Harms of Hard Stuff Masonry & Concrete asking for a proposal/contract agreement for he had only submitted a quote. City Clerk Gruenhagen is waiting for the contract agreement.

Seal Coating – Southwest Paving

- City Clerk Gruenhagen received the revised proposal from Southwest Paving removing the crack sealing from the proposal. Southwest Paving only lowered the cost by \$140. When compared to the other bids they were still the lowest estimate.

Sewer Project

- City Clerk Gruenhagen commented to Maintenance Worker Byerly that he should be more involved with the Sewer Project, be at more of the meetings so he knows what is going on with the project. Council informed Dennis that he and a representative from S.E.H will be talking to the residents about getting permission to access to their backyards.
 - Mayor Malz added that Maintenance Worker Byerly should be more involved because this project is going to start moving quickly ahead.

Time Off Request

- Maintenance Worker Byerly requested May 27, 28, and 29, 2009 off. He will do rounds and be available for emergencies.
- *Councilmember Mueller moved to allow Maintenance Worker Byerly his time off request for May 27, 28, and 29, 2009, Councilmember Barnes seconded and motion unanimously carried. All Council members were present.*

Councilmember Muller asked Maintenance Worker Byerly to get a load of black dirt and put it around the gate valves at the WTP and some spots around the Community Center.

Water Fountain in Park

- Mayor Malz asked if the water fountain located in the city park works.
 - Maintenance Worker Byerly replied that he has tried to put new gaskets in but the water fountain is so old that he can not get it to work. What is broken is really the cooler and the fountain part leaks. Every year he fixes the leaks but this year it drips constantly.
 - Mayor Malz instructed Maintenance Worker Byerly to purchase a small stainless steel water fountain.
 - Councilmember Cumiskey informed Council that he has an almost new refrigerator water fountain at home and Maintenance Worker Byerly can come by and pick it up to install.

Lights on Park Restrooms

- Mayor Malz brought up the lights in the back room of the “warming house” that work on a timer. There is no need for these lights to be burning all night.

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- Council agreed that having them on all night is wasting electricity. They discussed what could be done and decided to have Maintenance Worker Byerly put pull strings on them so they can be turned off.

Coolers in Park

- Councilmember Trebesch asked if the refrigerators are running in the Park.
 - Maintenance Worker Byerly replied that he has checked them and they are working but are unplugged at this time.

Maintenance Worker Byerly asked Councilmember Mueller what manhole he wanted him to measure. Councilmember Mueller replied the MH Number 3 in front of the Bank and MH Number 4 by Maria Avenue.

Maintenance Worker Byerly asked Council if he could put some food items in the Hall Cooler for this weekend, May 30, 2009, for he is having a Graduation party at the Community Center that day.

- Council did not know why not, no one was renting the Hall for that day.

Deputy Clerk Block's Report

Delinquent Utility Bills Report

- Deputy Clerk Block reported that nothing really has changed the same persons are still delinquent and will have to be notified.
- The minutes are completed up until the end of April. Council will need to approve March and April minutes.

City Clerk/Treasurer Report

May 13, 2008 Motion – Street Closing for Civic Purposes

- City Clerk Gruenhagen had spoken with City Attorney Mac Willemssen and he reviewed the motion: *(Councilmember Cummiskey moved to not allow any city street closings unless it would only be for civic purposes. Councilmember Mackenthun seconded the motion. Councilmember's Trebesch, Cummiskey, and Mackenthun voted aye, Councilmember Mueller voted nay. Motion carried.)*
 - The word "civic" means citizens. If a citizen would come before Council and request a street closing Council could grant the request with the motion stated above.

Background Fees (Carver County) – Liquor Licenses

- City Clerk Gruenhagen informed Council that he had sent in three requests for liquor license back ground checks and the city was charged for that service in the amount of \$47.80 per request. Council may want to consider charging organizations a fee to help cover the cost of the background checks. It would be Councils decision if they want to charge a fee or not but it should be considered.
 - Councilmember Mueller asked how often organizations such as the Lions Club request a 3.2 liquor license.
 - City Clerk Gruenhagen replied that background checks are done once a year for 3.2 licenses.

2009 Budget Summary & Hours Worked

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- City Clerk Gruenhagen asked Council if they have any questions or if they would ever want to know what is all entailed in this report or if Council would like it broken down more to let him know. City Clerk Gruenhagen puts in the report so Council can see the Cities current cash flow.
 - Mayor Malz suggested just showing Council what is in the check book at the end of the month.
- City Clerk Gruenhagen continued by informing Council what each fund has;
 - General Fund - \$183,753.01
 - Special Revenue Funds which are set aside for future purchases - \$67,390.32
 - Debt Service - \$57,149.37
 - Capital Project Fund (Maria Avenue) this project has been completed and there is a surplus of \$645.12. This amount will be put in the Debt Service fund.
 - Water and Sewer cash on hand - \$224,639.63
 - The report also showed the Debt Summary and Cash Flow Actuals.
 - Taxes bring in 70% to 80% of the cities income and are received in June and December.

Community Center Rentals – Use of Alcohol

- City Clerk Gruenhagen informed Council that city attorney Mac is reviewing the Community Center Lease agreement concerning the serving of alcohol in the building.
- City clerk Gruenhagen is also going to ask Mac what type of liability coverage the City should carry. The cities insurance policy is coming due in July 2009.

Comprehensive Plan – Zoning Ordinances

- A special meeting will be held on June 9, 2009 at 6:00 p.m. with Ann Perry to go over the final comprehensive plan and draft zoning ordinances.

Potential Refunding of Existing Bonds – Ehlers & Associates

- City Clerk Gruenhagen informed Council that Ehlers & Associates had sent a letter informing Council of potential refunding of existing bonds due to the lower interest rates. However at this time there does not seem to be any significant savings for the City.

City Council Reports

Councilmember Mueller (Sewer & Water) had nothing further to report.

Councilmember Cummiskey (Streets)

- Councilmember Cummiskey brought up the subject of the Emerald Ash Borer infestation and suggested the city should have an ordinance about storing diseased wood or bringing it into the city.
 - City Clerk Gruenhagen will check the city ordinances on this issue.

Councilmember Trebesch (Buildings)

- Councilmember Trebesch commented that it was his turn to close the pond gate this Saturday, May 30th.
- Councilmember Trebesch asked if there is a known starting date to replace the sidewalk on Railroad Street.
 - City Clerk Gruenhagen responded that he has spoken with Mr. Harms (Hard Stuff Masonry & Concrete) asking him to submit a contract. Mr. Harms had submitted an estimate but not a

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contract. As of this meeting Mr. Harms has not returned one. City Clerk Gruenhagen will follow up on this.

Councilmember Barnes (Parks) had nothing further to report.

Mayor Malz

- Mayor Malz asked to have a Thank You note sent to Specialized Environmental Technology Inc., the facility where he got mulch from for the city. He had asked for three cubic yards and received almost a payload.
 - City Clerk Gruenhagen will send a “Thank You”.
- Mayor Malz asked if the solicitor or peddler that is going around town has applied for a Peddler/Solicitor/Transient Merchant Permit. Mayor Malz informed the person that he would need a permit.
 - City Clerk Gruenhagen informed Council that there is a \$25 fee and a background check has to be completed before they can solicit in town.
 - Mayor Malz has his business card and will call him to inform him he has to apply for a permit.
- Mayor Malz commented that he had received a complaint about some pigeons being harbored in town but have gotten lose.
 - City Clerk Gruenhagen informed Council that this has been addressed, a copy of the ordinance dealing with this issue has been sent to the owner. From what he has heard between the neighbors and the owner this issue has been resolved.
 - Ordinance states animals (including pigeons) are to be caged.

Approve Claims List for May 2009

City Clerk Gruenhagen informed Council that the ACH payment, PERA Withholding for May, that had a blank amount should be \$862.75. This ACH payment and check numbers 13843 to 13858 should be approved.

- Councilmember Trebesch questioned claim number 13849. He asked about the background checks if City Clerk Gruenhagen knew how much the charge was per hour.
 - City Clerk Gruenhagen replied that it is somewhere around \$30 per hour.
- Mayor Malz asked about claim number 13855, S.E.H payment of \$27,443.61 if this money will come back out of the project for city reimbursement.
 - City Clerk Gruenhagen replied no, the amount paid to SEH is coming out of the Sewer fund.

Councilmember Barnes moved to approve the May 2009 Claims List from claim number 13843 though claim number 13858 including the PERA ACH Payment of \$862.75, seconded by Councilmember Trebesch and motion unanimously carried. All Council members were present.

Councilmember Cummiskey moved to adjourn the Hamburg City Council meeting at 9:55 p.m., seconded by Councilmember Barnes and motion unanimously carried. All Council Members were present.

Submitted by:

**Hamburg City Council Meeting
May 26, 2009**

Sue Block
Deputy Clerk